

REMARKS

In the outstanding office action, claims 1-20 were presented for examination. The claims were restricted as follows: group I (claims 1-7 and 16-20) and group II (claims 8-15). Applicant previously elected group I for examination.

Applicant hereby affirms this election with traverse. Applicant respectfully traverses the restriction requirement and requests reconsideration in view of the following remarks.

There are two criteria for a proper requirement for restriction: (1) the inventions must be independent or distinct as claimed; and (2) there must be a serious burden on the examiner. Applicant respectfully submits that searching the subject matter of the subgroups of groups I-II, as outlined in the outstanding office action, does not place a serious burden on the Examiner. Moreover, applicant respectfully submits that independent claim 1 includes the limitation of "wherein said retention feature is formed by a radial riveting process by applying a tool to said outer wall after said bearing is inserted into said bearing pocket" while restricted independent method claim 8 also includes the following limitation "wherein said retaining member is formed by a radial riveting process by applying a tool to said outer wall after said bearing is inserted into said bearing pocket" thus applicant respectfully submits that the groups are related and that the restriction requirement is improper. Accordingly, applicant requests withdrawal of the requirement for restriction with regard to groups I-II.

Moreover, it is submitted that issuing one patent on the subject matter of groups I-II as defined in the outstanding office action would be more expedient for the United States Patent and Trademark Office, the inventor and the public. Thus, Applicant respectfully requests withdrawal of the Requirement for Restriction.

In the outstanding office action the drawings were objected to. In the instant amendment applicant has submitted a new Figure 6 to illustrate the features of claim 20. In addition, the specification has been amended on pages 3, 5 and 6 to reflect the addition of new Figure 6. No new matter has been added. The submission of Figure

6 is clearly supported by the application as filed. For example, support is at least found on pages 5 and 6 of the application, as filed.

In the outstanding office claims 1, 3 and 20 were rejected under 35 U.S.C. §112. In the instant amendment applicant has amended claims 1, 2, 3 and 20 to address the section 112 rejections. More specifically, claims 2 and 3 have been amended to address the allegedly confusing language in claim 3. Claim 7 has been amended to clarify the limitation added by claim 7 namely, the single shoulder being formed by the radial riveting process. Claim 20 has been amended to include the limitations of independent claim 1, where applicable to define "a plurality of arcuate shaped members". No new matter has been added to any of the aforementioned claims. Accordingly, applicant respectfully requests that the section 112 rejections be withdrawn.

In the outstanding office action claims 1-3, 5-7, 16 and 18-20 were rejected under 35 U.S.C. §102(b) by Sasaki et al. (U.S. Pub. 2002/0095790), while claims 1-3, 5-7, 16-20 were rejected under 35 U.S.C. §102(b) over Brandenstein (U.S. Patent 4,88,862). In addition, claims 1-7 and 16-20 were rejected variously under 35 U.S.C. §102(e) over Muraki et al. (U.S. Pub. 2002/0172443) and Radocaj (U.S. Patent 6,941,651).

In the instant amendment claims 16-19 have been canceled rendering the rejections with regard to the same as being moot.

In addition and referring now to independent claim 1, applicant has amended the same to include the following limitation, "wherein the retention feature can withstand a force greater than 6500 Newtons". Support for this limitation is clearly found in the specification and drawings of the application as filed thus no new matter has been added.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegual Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, "[t]he identical invention must be shown in as

complete detail as is contained in the * * * claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

To anticipate a claim under 35 U.S.C. ‘ 102, a single source must contain all of the elements of the claim. *Lewmar Marine Inc. v. Barient, Inc.*, 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), *cert. denied*, 484 U.S. 1007 (1988).

Accordingly, applicant respectfully submits that claim 1 is allowable over the references cited at the same fail to teach or disclose a “retention feature [that] can withstand a force greater than 6500 Newtons”. Accordingly, claim 1 is believed to be allowable over the references cited.

Claims 2-7 depend from either directly or indirectly from claim 1 accordingly, claims 2-7 are also believed to be in a condition for allowance for at least the same reasons as claim 1 in addition to including additional limitations.

Turning now to independent claim 20 applicant respectfully submits that none of the cited references teach or disclose “a plurality of arcuate shaped members ... and a plurality of retention features for retaining the bearing in the bearing pocket, the retention features being formed from a portion of each of the plurality of arcuate shaped members after the bearing is inserted in the bearing opening, wherein the plurality of retention features are formed using a radial riveting process by applying a tool under force to an outer surface of each of the plurality of arcuate shaped members after the bearing is inserted into the bearing pocket”.

Accordingly, claim 20 is believed to be allowable over the references cited.

Claims 21 and 22 depend directly from claim 20 accordingly, claims 21 and 22 are also believed to be in a condition for allowance for at least the same reasons as claim 20 in addition to including additional limitations.

If there are any additional charges with respect to this amendment or otherwise, please charge them to Deposit Account No. 06-1130.

If for any reason the Examiner feels that consultation with Applicant's attorney would be helpful in the advancement of the prosecution, he is invited to call the telephone number below for an interview.

Respectfully submitted,

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